

Exhibit O

Affidavit of James Harrington

4. I am the Director and founder of the Texas Civil Rights Project (TCRP), and, as such, oversee and conduct the Project's litigation. TCRP is a tax-exempt non-profit foundation that attends to the civil liberties and civil rights of low-income Texans who cannot afford to employ counsel. TCRP maintains three offices in Texas: in Austin, San Juan, and El Paso. Our staff level is generally at twenty persons, depending on funding and financial resources.

TIME AND LABOR REQUIRED

5. Affixed to this affidavit as Attachment 1 is a summary of the fees and costs, incurred in this case. This affidavit is based on the contemporaneous time records of TCRP in this case and other business records and from an examination of the files and records of this case

6. Attachment 2 to this affidavit is a summary of the contemporaneous records our office kept with regard to the hours spent working on this case by me and the other attorneys and law clerks in our office who worked on this case.

7. I have examined closely the accountings of hours in Attachments 2, and know for a fact that they do not represent all the attorneys and law clerk hours invested in this case, omitting, for example, numerous interoffice e-mail exchanges and informal meetings with attorneys, staff, and law clerks regarding this case. Nor does Attachment 2 include time spent at weekly legal meetings reviewing this case as part of our active docket.

8. No hours are claimed here that are excessive, redundant, or otherwise unnecessary; all the hours were reasonably and necessarily expended for the ultimate successful result in this case, as indicated by the attached summary.

9. We have exercised careful and reasonable billing judgment, paying close attention to the mandates of the Texas Supreme Court in this regard. I know we did not bill for most of our brief in-house consultations and strategy discussions with me, other attorneys in the office, and

with the law clerks who assisted in the case. Nor did we bill for all the times that we talked with our clients about the case or communicated with them and each other through e-mail or personal conversations.

10. The knowledge, experience, and expertise involved to complete the activities in this case are the same reasonable knowledge, experience, and expertise used by other attorneys in similar litigation.

THE CUSTOMARY FEE

11. Because of my thirty-four years' experience in the civil rights field and because I litigate all around Texas, I am very familiar with customary rates for lawyers who do civil rights work, according to the level of their experience and the work they do. It is my opinion that the rates I suggest here are customary for the attorneys indicated, respectively, and the time that we each performed the work outlined herein.

12. Further, it is my opinion that all the hours that I claim for myself in this case, as well as those of TCRP lawyers and law clerks were customary, reasonable, and necessary for this case and its successful outcome.

13. I am sure the hourly rates I request in this case are the actual "market rate" for an attorney of my experience and knowledge, which, as of today, would be in the range of \$400/hour. At the hearing on attorneys' fees in the state legislative redistricting case (*Mena v. Richards*) in 1992 in Edinburg, Texas, one of the attorneys in private practice, who was representing Hidalgo County, Travis Hiester, testified that \$300/hour would be more appropriate than the \$250/hour I requested, and received, in *Mena v. Richards*.

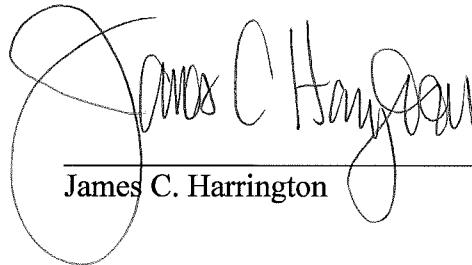
COSTS

14. Plaintiff's counsel also incurred court costs of \$1,158.43, itemized in Attachment 3.

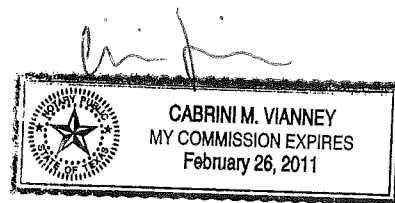
SUMMARY

15. I have prepared and reviewed Plaintiff's Motion for Attorneys' Fees and Costs, to which this affidavit is attached. All the facts stated therein, as well as all the facts stated herein, are true and correct; and I am fully competent to testify as to the same.

16. It is my opinion that the total sum of \$29,556.00 is a reasonable, necessary, and customary amount for the attorneys' fees incurred by this case, as well as \$1,158.43 in recoverable costs, as reflected by the summary in Attachment 1 to this affidavit.


James C. Harrington

SUBSCRIBED AND SWORN to before me on September 28th, 2007.



ATTACHMENT 1

SUMMARY OF FEES AND COSTS
Prison Legal News v. Dallas County

Attorney's Fees: \$29, 556.00

Costs incurred: \$1,158.43

Total: \$30,714.43

ATTORNEY	Scott Medlock
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DATE	CASE	DESCRIPTION	TIME (hr)
2/6/2007	PLN	client re case	0.5
2/8/2007	PLN	client re case	0.5
2/8/2007	PLN	open records request to jail	0.5
2/15/2007	PLN		0.5
2/16/2007	PLN	drafted complaint	2.5
2/16/2007	PLN		1
2/16/2007	PLN	application for admission to practice in N. Dist.	0.25
2/20/2007	PLN	drafted complaint	1
2/20/2007	PLN	drafted motion for preliminary injunction	1.25
2/21/2007	PLN	worked on motion for preliminary injunction, affidavits	5
2/21/2007	PLN	reviewed local rules for N. Dist.	0.5
2/22/2007	PLN	JCH re complaint, motion for preliminary injunction	0.25
2/22/2007	PLN	complaint, motion for preliminary injunction	1.5
2/22/2007	PLN	wrote pro hac motion	0.5
2/23/2007	PLN	final on complaint, motion for preliminary injunction	1
2/23/2007	PLN	wrote press release	1
2/27/2007	PLN	wrote certificate of interested parties	0.5
3/12/2007	PLN	wrote service of process notice	0.25
3/15/2007	PLN		0.5
3/16/2007	PLN	sworn in to N. Dist.	0.5
3/16/2007	PLN	wrote advisory to court re pro hac	0.25
3/16/2007	PLN	reviewed new jail policy	0.25
4/5/2007	PLN	client conference to discuss settlement possibilities	2.50
4/6/2007	PLN	advisory to court re PI	0.50
4/9/2007	PLN	previous settlement documents	1.00
4/11/2007	PLN	demand letter	1.50
4/11/2007	PLN	consent decree	1.50
4/11/2007	PLN	scheduling order	1.00
4/23/2007	PLN	to opposing counsel re R. 68	0.50
4/26/2007	PLN	Reply to response to motion for PI	0.50
4/27/2007	PLN	Reply to response to motion for PI	1.50
5/1/2007	PLN	proposed scheduling order	0.50
5/1/2007	PLN	conferred with WK re scheduling order	0.25
5/3/2007	PLN	Scheduling Order	0.25
5/15/2007	PLN	with Paul Wright	0.40

5/25/2007	PLN	with Paul Wright re expert report	0.50
6/4/2007	PLN	discussed case with Ian P	0.25
6/4/2007	PLN	client	0.25
6/5/2007	PLN	initial disclosures	0.30
6/6/2007	PLN	expert designation, expert report, initial disclosures	1.00
6/7/2007	PLN	expert designation, expert report, initial disclosures	0.25
6/7/2007	PLN	left messages for criminal defense lawyers re long term jail inmates	0.25
6/12/2007	PLN	discovery requests to Dallas Co	1.00
6/18/2007	PLN	discovery requests to Dallas Co	1.00
6/19/2007	PLN	discovery requests to Dallas Co	0.75
6/19/2007	PLN	re discovery	0.25
6/19/2007	PLN	conferred with JCH re order on PI	0.25
6/19/2007	PLN	discussed case with Ian	0.25
7/9/2007	PLN	deposition notice for Lindsey	0.75
7/17/2007	PLN	meeting with JCH to discuss discovery plan	0.25
8/6/2007	PLN	to Westergard re discovery	0.50
8/6/2007	PLN	RFAs to Lindsey	0.75
8/6/2007	PLN	and emails to Paul Wright	0.25
8/12/2007	PLN	amended complaint and motion	0.50
9/6/2007	PLN	discussed case with WK	0.25
9/7/2007	PLN	with Paul Wright re Ds discovery responses	1.00
9/7/2007	PLN	with client (Barb Belen)	0.25
9/7/2007	PLN	affidavit for response to Ds discovery	0.25
9/10/2007	PLN	conferred with JCH re new PI	0.25
9/10/2007	PLN	discussed case with LeeAnn	0.25
9/10/2007	PLN	with Barb Belen re inmates not receiving mail	0.25
9/10/2007	PLN	affidavit for response to Ds discovery	2.50
9/10/2007	PLN	affidavit for new motion for PI	0.75
9/11/2007	PLN	response to Ds discovery requests	1.00
9/11/2007	PLN	with client, Paul Wright	0.75
9/11/2007	PLN	declaration of Wright for discovery responses	1.00
9/11/2007	PLN	discovery responses to Ds	1.50
9/12/2007	PLN	demand letter	2.50
9/13/2007	PLN	discussed demand letter with JCH	0.25
9/13/2007	PLN	demand letter	0.50
9/13/2007	PLN	with client, Barb Belen	0.25
9/13/2007	PLN	discovery responses to Ds	0.50
9/19/2007	PLN	with Barb Belen	0.25
9/19/2007	PLN	affidavit for Paul	1.00
9/19/2007	PLN	discovery responses	1.00
9/19/2007	PLN	motion for summary judgment	2.00
9/20/2007	PLN	Paul affidavit	0.50
9/20/2007	PLN	responses to D's discovery requests	0.50
9/20/2007	PLN	motion for summary judgment	1.00
9/20/2007	PLN	settlement status report	0.25
9/20/2007	PLN	with Barb Belen	0.25

9/21/2007	PLN	to Alfredo Bernal	0.25
9/21/2007	PLN	discovery responses	1.50
9/21/2007	PLN	with Barb Belen	0.25
9/25/2007	PLN	with witness, Alfredo Bernal	0.25
9/25/2007	PLN	wrote affidavit for Alfredo Bernal	1.00
9/25/2007	PLN	motion for summary judgment	3.00
9/25/2007	PLN	with client	0.25
9/25/2007	PLN	to witnesses	0.25
9/26/2007	PLN	to jail to get Joan Covici in to see witness	0.30
9/26/2007	PLN	motion for summary judgment	1.25
9/27/2007	PLN	motion for summary judgment	1.50
Total Attorney's Hours:			71.75

DATE	ATTY/LC	DESCRIPTION	TIME (hr)
4/24/2007	LC	Michelle: Meet w/SM re reply to respond to MPI	0.25
4/24/2007	LC	Michelle: Research re reply to response to MPI	6
4/24/2007	LC	Michelle: Begin drafting reply to D's response to MPI	1.33
4/25/2007	LC	Michelle: Research re reply to response to MPI	2.25
4/25/2007	LC	Michelle: Draft reply to D's response to MPI	5.25
4/26/2007	LC	Michelle: Draft reply to D's response to MPI	1.5
4/26/2007	LC	Michelle: Edit reply to D's response to MPI	1.25
6/1/2007	LC	Ian: Reviewed PLN file.	1.5
6/4/2007	LC	Ian: Researched File	1
6/4/2007	LC	Ian: First draft of initial disclosure	2
6/5/2007	LC	Ian: Second draft of initial disclosure	2
6/5/2007		Ian: Designate Paul Wright as an expert.	3
6/6/2007	LC	Ian: Edited and added to Paul's expert report.	2
6/6/2007	LC	Ian: Notice of initial disclosures.	1
6/6/2007	LC	Ian: Scanned and bates stamped PLN docs	1.5
6/7/2007	ILC	Ian: Finalized and filed initial disclosure.	2.5
6/8/2007	LC	Ian: Worked on first draft of Discovery	4

6/11/2007	LC	Ian: Worked on first draft of Discovery	2.5
6/13/2007	LC	Ian: Worked on second draft of Discovery	6
6/15/2007	LC	Ian: Phone call with Paul Wright to discuss past PLN cases	0.5
6/18/2007	LC	Ian: Worked on discovery for PLN	2
6/19/2007	LC	Ian: Contacted defense attorneys to get standing for PLN case	0.25
6/19/2007	LC	open records request to jail	1
6/19/2007	LC	Ian: PLN discovery	0.5
6/28/2007	LC	Ian: Sent out PLN disclosures. Also, filed notice of disclosure.	0.5
7/30/2007	LC	Drafted Deposition questions for Gary Lindsey	4
7/31/2007	LC	Spoke with Paul Wright for advice on depo questions	0.5
7/31/2007	LC	Second draft of deposition questions	3
8/1/2007	LC	Finished depo questions and copied relevant docs for depo	1.5
8/2/2007	LC	Gary Lindsey Deposition in Dallas	10
8/6/2007	LC	First draft of RFA's for Gary Lindsey	4
8/6/2007		Second draft of RFA's for Gary Lindsey	1
9/10/2007	LC	LeeAnn: Lindsey deposition summary	3
9/10/2007	LC	LeeAnn: Read cases re: 1st Am damages	1.5
9/12/2007	LC	LeeAnn: Research 1st Am damages	3
9/12/2007	LC	LeeAnn: Reviewing PLN admissions, pleadings, inmate handbook	1.5
9/13/2007	LC	LeeAnn: Research memo 1st Am damages	7
9/14/2007	LC	LeeAnn: Motion for SJ	5
9/17/2007	LC	LeeAnn: Motion for SJ	9
9/18/2007	LC	LeeAnn: Motion for SJ	7
9/20/2007	LC	LeeAnn: Motion for SJ	4.5
9/21/2007	LC	LeeAnn: Motion for SJ	6.5
24-Sep	LC	LeeAnn: Motion for SJ	4
9/25/2007	LC	LeeAnn: memo case summaries damages and injunction	4
9/25/2007	LC	LeeAnn: formating motion for SJ	0.5
9/26/2007	LC	LeeAnn: revising motion for SJ	4.5
9/26/2007	LC	LeeAnn: formating and appendix for motion for SJ	4

9/27/2007	LC	LeeAnn: adding point citations, scanning docs for appendix, discovery	6
Total Law Clerks' Hours:			146.58

11:05 AM

09/28/07

Accrual Basis

Texas Civil Rights Project
Class QuickReport
January 1 through September 28, 2007

Type	Date	Num	Name	Memo	Amount
1TEXAS CIVIL RIGHTS PROJECT					
TCRP Program Costs					
3TCRP Litigation					
Case Legal Costs					
Prison Lgal News v Dallas Co.Jl					
Check	2/23/2007	2808	U.S. District Clerk	Filing Fee - Prison Legal News v. Dallas County Jail	-375.00
Check	4/4/2007	12260	Quill Corporation	Qtrly Copy Charges	-22.30
Check	4/10/2007	12294	Scott Medlock	SM Travel - PLN v. Dallas Co.	-80.00
Check	4/10/2007	12294	Scott Medlock	SM Travel - PLN v. Dallas Co.	-5.00
Check	4/25/2007	12338	Pitney Bowes Purchase Power	Qtrly Postage Costs	-20.84
Check	4/25/2007	12338	Pitney Bowes Purchase Power	Qtrly Postage Charges	-18.56
Check	7/16/2007	12627	Pitney Bowes Purchase Power	Qtrly Postage Costs	-10.42
Check	7/16/2007	12628	Quill Corporation	Qtrly Copy Charges	-45.60
Check	7/16/2007	12627	Pitney Bowes Purchase Power	Qtrly Postage Costs	-31.26
Check	8/3/2007	12710	Scott Medlock	SM Travel - Prison Legal News v. Dallas County	-13.97
Check	8/3/2007	12710	Scott Medlock	SM Travel - Prison Legal News v. Dallas County	-162.00
Check	8/3/2007	12710	Scott Medlock	SM Travel - Prison Legal News v. Dallas County	-3.00
Check	8/27/2007	2921	Atkins-Baker, Inc	Deposition - Prison Legal News v Lindsey	-278.35
Check	8/28/2007	12820	Quill Corporation	Qtrly Copy Charges	-26.50
Check	9/13/2007	12869	Pitney Bowes Purchase Power	Postage Charges thru 08-31	-15.63
Check	9/26/2007	19923	Texas Cure	Courier Services	-50.00
Total Prison Lgal News v Dallas Co.Jl					-1,158.43
Total Case Legal Costs					-1,158.43
Total 3TCRP Litigation					-1,158.43
Total TCRP Program Costs					-1,158.43
Total 1TEXAS CIVIL RIGHTS PROJECT					-1,158.43
TOTAL					-1,158.43